

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Patrice Jublot

Application No.: 10/538,419

Confirmation No.: 1720

Filed: September 20, 2005

Art Unit: 3663

For: METHOD AND DEVICE FOR LOADING A
FUEL ASSEMBLY INTO THE CORE OF A
NUCLEAR REACTOR

Examiner: Awai, Alexandra F.

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed June 1, 2007, applicant hereby provisionally elects Group II, drawn to a device for loading a fuel assembly, with traverse. The elected invention can be read on claims 2 - 15.

The Examiner has required restriction between Group I, claim 1 drawn to a process (loading a fuel assembly) and Group II, claims 2-15, drawn to an apparatus (fuel assembly loader).

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent.

The applicant actually thinks that the two groups of inventions defined by the Examiner are linked so as to form a single general inventive concept under PCT Rule 13.1, for the following reasons:

The group I, as defined in claim 1, includes the following features:

a1 - a dummy-assembly, having the general right prismatic shape of a location for a fuel assembly in the core and laterally bounded by smooth walls,

b1 - a step consisting in fixing the position of at least one adjacent assembly in the presence of the dummy-assembly with respect to at least a second assembly in the core,

c1 - steps consisting in moving the dummy-assembly and the fuel assembly to be loaded.

The group II, as defined in claim 2, includes the following features:

a2 - a dummy-assembly, having the general right prismatic shape of a location for a fuel assembly in the core and laterally bounded by smooth walls,

b2 - a tool for holding fuel assemblies comprising ... pins designed to engage ... fuel assemblies in the core,

c2 - handling means for the re-aliment tool for the fuel assemblies and a tool for holding the fuel assemblies.

The tool for holding fuel assemblies (b2) is used to fix in position at least one adjacent assembly with respect to at least a second assembly in the core (see § 0092, § 0093 and § 0113 of the patent application publication).

Feature a1 is identical to feature a2. Feature b1 corresponds to feature b2, as required under Rule 13.2 PCT, and feature c1 corresponds to feature c2, as required under Rule 13.2 PCT.

The applicant guidelines of the PCT makes clear, in section 131, that a process and a device specially designed for implementing the process meet the unity of invention criteria.

Furthermore, corresponding features a1 and a2 are not disclosed in Machara and define a special technical feature which determine a contribution of each of the group of invention with regard to the prior art.

Machara discloses an apparatus and a method for loading/unloading control rods, fuel supports, and control rod guide tubes into/from a boiling water reactor. It does not make use for that purpose of a dummy-assembly having the general right prismatic shape of a location for a fuel assembly in the core and laterally bounding by smooth walls. The apparatus 18 cannot be considered as a dummy assembly having the feature above.

2 - Since invention II has been elected, the applicant further elects the following species:

- Specie A (dummy fuel assembly as shown in figure 2A), which can be read on claims 2 to 5 and 7 to 15.

- Lower member of the dummy assembly corresponding to Figures 3A and 3B, which can be read on claims 2 to 7 and 9 to 15.

- Long fingers of the tool holding fuel assemblies as shown in figure 6B (not adjustable), which can be read on claims 2 to 11 and 13 to 15;

- Holding tool with four long fingers and four short fingers as show in figure 5, which can be read on claims 2 to 13 and 15.

In view of the above arguments, it is respectfully requested that the restriction requirement be withdrawn, and that each of the claims presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 20513-00613-US1 from which the undersigned is authorized to draw.

Dated: June 29, 2007

Respectfully submitted,

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